

RESOLUTION NO. 1671

A RESOLUTION AUTHORIZING THE PUBLIC SALE OF APPROXIMATELY \$4,555,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2005A, OF THE CITY OF GARDNER, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS, AS FOLLOWS:

Section 1. The General Obligation Bonds, Series 2005A, of the City of Gardner, Kansas (the "City"), in the principal amount of approximately \$4,555,000 (the "Bonds"), shall be offered at competitive public sale on August 15, 2005, at 11:00 a.m., Central Time or at such other date approved by the Mayor that is the date of a City Council meeting.

Section 2. The Finance Director, in conjunction with the City's Financial Advisor, is authorized and directed to receive bids for the purchase of the Bonds on behalf of the City at the time and place and to deliver a report on all bids so received to the Governing Body at its meeting to be held at 7:00 p.m. on the sale date, at which meeting the Governing Body shall review such bids and act on such bids. Such bids may be received electronically through an experienced municipal bond electronic bid provider and through other means determined by the Finance Director, in consultation with the City's Bond Counsel and Financial Advisor, to be in the best interest of the City.

Section 3. The Mayor and City Clerk are authorized to cause to be prepared and executed an Official Statement for use in connection with the public sale of the Bonds.

Section 4. The Finance Director is authorized and directed to give notice of the Bond sale by publishing a summary of the Notice of Bond Sale not less than six days before the date of the Bond sale in a newspaper of general circulation in Johnson County, Kansas, and in the *Kansas Register* and by mailing copies of the Notice of Bond Sale and Official Statement or making such documents available electronically to prospective purchasers of Bonds.

Section 5. For the purpose of enabling the purchaser of the Bonds (the "Original Purchaser") to comply with the requirements of Rule 15c2-12(b)(1) of the Securities Exchange Commission, the appropriate officers of the City are authorized, if requested, to provide the Original Purchaser a letter or certification to the effect that the City deems the information contained in the Official Statement to be "final" as of its date, except for the omission of such information as is permitted by Rule 15c2-12(b)(1), and to take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Original Purchaser to comply with the requirement of such Rule.

Section 6. The City agrees to provide to the Original Purchaser within seven business days of the date of the sale of Bonds or within sufficient time to accompany any confirmation that requests payment from any customer of the Original Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Original Purchaser to comply with the requirements of Rule 15c2-12(b)(4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 7. The City Administrator; the Finance Director; Kutak Rock LLP, the City's Bond Counsel; Springsted Incorporated, the City's Financial Advisor; and other officers and representatives of the City are authorized and directed to take such other action as may be necessary to carry out the public sale of the Bonds.

Section 8. This Resolution shall be in full force and effect from and after its adoption.

ADOPTED by the Governing Body on July 18, 2005.

(Seal)

Carol Lehman, Mayor

ATTEST:

Gwen Scott, City Clerk